

## PATENT

**D. REMARKS**

Claims 1-20 are pending in the present application. No claims have been amended, cancelled or added.

Drawings

The Office Action did not indicate whether the formal drawings filed by the Applicants are accepted by the Examiner. Applicants respectfully request that the Examiner indicate whether the drawings filed on March 8, 2001 are accepted by the Examiner in the next communication.

Prior Art Rejections

The Office Action rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application No. 2002/0124215 A1 to Austen et al. (hereinafter "Austen"). The Austen reference was filed on March 1, 2001 and published on September 5, 2002. The rejections are respectfully traversed.

Applicants respectfully assert that Applicants completed and reduced to practice Applicants' claimed invention before the filing date of Austen. A declaration, pursuant to 37 C.F.R. § 1.131, has been duly executed by Applicant Arthur James Tysor and is included with this Response. Mr. Tysor declares that Applicants' claimed invention was completed and reduced to practice prior to March 1, 2001. Exhibit "A" to Mr. Tysor's declaration is an IBM Invention Disclosure Form that disclosed Applicants' claimed invention. This Disclosure was submitted to the IBM Intellectual Property Law Department in Austin, Texas prior to March 1, 2001. Mr. Tysor's declaration under 37 C.F.R. § 1.131, therefore, removes the Austen patent from consideration as prior art. Because, for the aforesaid reasons, the Austen patent is not prior art with respect to Applicants' claimed invention, Applicants respectfully assert that Claims 1-20 are allowable under 35 U.S.C. § 102(e).

PATENT

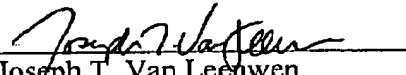
Conclusion

As a result of the foregoing, it is asserted by Applicants that the remaining claims in the Application are in condition for allowance, and Applicants respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner contact the Applicants' attorney listed below if the Examiner believes that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

By



Joseph T. Van Leeuwen

Attorney for Applicant

Registration No. 44,383

Telephone: (512) 301-6738

Facsimile: (512) 301-6742